

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

MAYTAG CORPORATION,

Plaintiff,

vs.

ELECTROLUX HOME PRODUCTS,
INC., d/b/a FRIGIDAIRE,

Defendant.

No. C 04-4067-MWB

ORDER *NUNC PRO TUNC*

It has come to the court's attention the attached order must be substituted, *nunc pro tunc*, for the Memorandum Opinion And Order Regarding Construction Of Disputed Patent Claim Terms filed on January 19, 2006 (docket no. 119). By letter dated January 24, 2006, counsel for the defendant brought to the court's attention that the version of the decision originally filed on January 19, 2006, did not include the court's constructions of "knit lines" and "cavity cover member" in the final chart summarizing the court's construction of claim terms. The court has reviewed the version of the decision originally filed on January 19, 2006, and finds that the court did, inadvertently, file a version of the decision that did not include the court's constructions of the claim terms "knit lines" and "cavity cover member" in the chart on pages 119-21, which summarizes the court's constructions of disputed claim terms.

As a consequence of the court's determination that the decision originally filed on January 19, 2006, omitted these two constructions from the chart summarizing the court's constructions of claim terms, the court has made the following alterations to the January 19, 2006, decision in the version to be substituted *nunc pro tunc*:

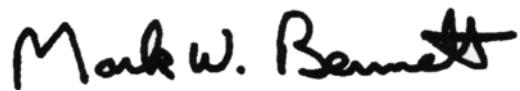
1. On page 119 of the substituted decision, the court has inserted its construction of the claim term “knit lines” in Claim 26 of the ‘909 patent, as that construction is stated on page 75 of the decision, replacing the incorrect statement that this claim term is “[n]ot in dispute at this time.”

2. On page 121 of the substituted decision, the court has inserted the claim term “cavity cover member spaced about an end of the mold core” in Claim 7 of the ‘809 patent, the parties’ proposed constructions of that term, and the court’s construction of that term as that construction is stated on page 95 of the decision.

THEREFORE, the attached version of the court’s Memorandum Opinion And Order Regarding Construction Of Disputed Patent Claim Terms **shall be substituted *nunc pro tunc*** for the version originally filed on January 19, 2006 (docket no. 119). The Clerk of Court is directed to *remove* the former version of the ruling and *replace* it with the attached version as Docket No. 119, with appropriate annotation of the docket entry to reflect the removal and substitution *nunc pro tunc* pursuant to this order.

IT IS SO ORDERED.

DATED this 24th day of January, 2006.



MARK W. BENNETT
CHIEF JUDGE, U. S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA